

**STATE OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
BOARD OF REGISTERED NURSING MINUTES**

**DATE:** September 14-15 2006

**TIME:** 9:00 am Both Days

**LOCATION:** Hilton Ontario Airport  
700 North Haven Avenue  
Ontario, CA 91764

**PRESENT:** LaFrancine Tate, Public Member, President  
Grace Corse, RN, Vice President  
Carmen Morales-Board, MSN, RN, NP  
Elizabeth O. Dietz, Ed.D. RN, CS-NP  
Orlando H. Pile, M.D.  
Susanne Phillips, MSN, RN, APRN-BC, FNP

**NOT PRESENT:** Janice Glaab, Public Member (September 14-15, 2006)  
Jill Furillo, RN (September 14, 2006)  
Mary Hayashi, Public Member (September 14, 2006)

**ALSO PRESENT:** Ruth Ann Terry, MPH, RN, Executive Officer  
Heidi Goodman, Assistant Executive Officer  
Elliot Hochberg, Manager, Enforcement Program  
Carol Stanford, Manager, Diversion/Probation Program  
Louisa Gomez, Manager, Licensing Standards & Evaluation; Advanced Practice  
Christina Sprigg, Manager, Licensee and Administrative Services  
Louise Bailey, MEd, RN, Supervising NEC  
Janette Wackerly, MBA, RN, NEC  
Kay Weinkam, MS, RN, NEC  
Maria Bedroni, EdD, MN, RN, NP, Supervising NEC  
Miyo Minato, NEC, RN  
Grace Arndt, MSN, RN, NEC  
Badrieh Caraway, RN, MS, Med, NEC  
Carol Mackay, RN, NEC  
Carol Bell, RN. MA  
Geri Nibbs, RN, MN, NEC  
Rosario Marin, Secretary, State and Consumer Services Agency  
Eric Sawyer, Administrative Law Judge  
Nancy Kaiser, Deputy Attorney General  
Wendy Garske, Enforcement Program  
Stacie Berumen, Enforcement Program  
Eleanor Calhoun, Recording Secretary

## **Thursday, September 14, 2006**

### **1.0 CALL TO ORDER**

L. Tate, Board President, called the meeting to order at 9:10 am and had the Board members introduce themselves. The Board welcomed students from De Anza College.

### **2.0 DISCIPLINARY MATTERS**

The Board convened in closed session pursuant to Government Code Section 11126(c)(3) to deliberate on these matters and other disciplinary matters including stipulations and proposed decisions, and pursuant to Government Code Section 11126(e)(1,2(A)) to confer with Legal Counsel regarding pending litigation.

#### **Termination of Probation**

BOROS, Mary Beth	DENIED
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#### **Reinstatements**

CANTERO, William	DENIED
DOYLE, Wendy Ann	GRANTED, 3 years probation
MAINHARDT, Mollie	GRANTED, 5 years probation
PASTONES, Dennis	GRANTED, 5 years probation
ROBERTS, John	GRANTED, 5 years probation
TURNER, John	GRANTED, 5 years probation
WERREN, Paul	GRANTED, 3 years probation

#### **Closed Session Discussion Items**

L. Tate, Board President, called the closed session meeting to order at 1:20 pm. The closed session adjourned at 2:50 pm.

## **Friday, September 15, 2006**

L. Tate, Board President, called the meeting to order at 9:05 am and had the Board members introduce themselves.

### **3.0 OPEN FORUM**

### **4.0 APPROVE/NOT APPROVE MINUTES OF June 7-9, 2006 Board Meeting.**

MSC: Dietz/Phillips that the Board approve minutes from the June 7-9, 2006 Board meeting. 7/0/0

### **5.0 REPORT ON BOARD MEMBERS' ACTIVITIES**

S. Phillips attended the Clinical Nurse Specialist Task Force meeting on September 13, 2006.

L. Tate attended the Annual Meeting of the National Council of State Boards of Nursing in Salt Lake City, Utah on August 1-4, 2006.

C. Morales-Board was recently registered as a Nurse Educator.

## **6.0 EXECUTIVE OFFICERS' REPORT ON BOARD AND DEPARTMENT ACTIVITIES**

R. Terry presented this report

### **1.0 Board's Budget Update**

Workload and Revenue – Alcidia Valim, the Board's Budget Analyst, completed the Workload and Revenue Schedule for FY 2005/06. A copy of the chart showing the actual workload for each revenue category for the five previous years as well as the projected workload for the next two fiscal years was submitted for review. The following is a sampling of the trends that were noted in various revenue categories:

The number of RNs increased by 3.8% this past fiscal year. RNs endorsing into California was up by 8.2% compared to 4.8% from the prior year, with 12,109 endorsing into our state. RNs endorsing their license to another state are up 8.4% with 11,190 leaving California. However, many of these RNs still maintain an active California license. First time exam applicants increased dramatically by 28% over last FY.

Purchase of Equipment for FY 2007/08 – The Board is requesting the following major equipment (equipment valued over \$5,000 per item): a high density filing system for the Continuing Education Program and a bar code tracking system for the enforcement file unit. The minor equipment being requested (equipment valued at less than \$5,000 per item) will replace 50 personal computers, 10 laptop computers, 5 LAN printers. Additionally, we are requesting modular furniture drawers and shelves and the ability to replace existing office chairs. Updating the Board's equipment enables staff to keep pace with the constant changes in technology as well as enabling staff to work more efficiently.

Department of Finance Site Visit - On July 18, 2006, Justyn Howard, Budget Analyst for the Department of Finance who oversees DCAs and the Boards' budget had the opportunity to meet with Alcidia Valim, Heidi Goodman and Ruth Ann Terry. DCA's Board's budget manger and staff, Kevin Peterson and Tracy Dean arranged for Mr. Howard's visit. Ms. Terry provided an informative overview of the Board's mission, the overall operation and the Board's long-term goals.

### **2.0 Department of Consumer Affairs (DCA) Updates**

Board Member Orientation – The following dates have been set for Board Member Orientation in 2007.

January 23, 2007 in Sacramento

March 14, 2007 in San Diego

September 19, 2007 in Oakland

Appointments - Patricia Harris was appointed Deputy Director of Bureau Relations. She served as the Executive Officer for the California Board of Pharmacy.

Laura Zuniga was appointed Deputy Director of Legislative and Regulatory Review. She has served as Assistant Deputy Director for Legislative and Regulatory Review since 2004 and was senior consultant for the Assembly Republican Caucus from 2001 to 2004.

Robert Puleo was appointed as the Assistant Deputy Director of the Legislative and Regulatory Review. Robert has served the Department of Consumer Affairs since 1993, most recently as the Deputy Chief for the Bureau of Security and Investigative services.

iLicense Update – Progress continues with the Department’s efforts to replace the existing on-line system, wherein an RN can renew their license or an applicant can endorse their license into California using the Internet and pay the required fee using a credit card. On August 31, 2006, at DCA’s Executive Officer’s Meeting Jody Curto, AISA, provided a demonstration of the existing system.

On September 12, 2006, DCA held the “kick-off” meeting with all the subject matter experts from the Boards and Bureaus that will be participating in the development of this new system. Their charge was to identify the requirements and to suggest changes based on the need of the Board/Bureau. The Board has selected two subject matter experts, Bobbie Pierce and Christina Rice based on their knowledge and experience with ATS and CAS. Jody Curto continues to provide her expertise to the Board and the Department and she will be a facilitator for the upcoming review sessions.

Consumer Affairs System (CAS) - In August 2006, the Board experienced a problem with the CAS system where a small number of RN licenses were issued with an expiration date of 2009, rather than the biennial renewal date. Most of these licenses were identified prior to mailing and staff was able to correct the expiration dates prior to printing and mailing. Those licenses that were inadvertently mailed were retrieved from the RN and a new card was issued.

Also in August 2006, there were 268 wall certificates mismatched during the mailing process. DCA has a contract with the Employment Development Department for mailing services and it was during this process that a number of certificates were mismatched. The Board notified the 268 RN’s involved in the mismatch and requested the incorrect certificate be returned. New wall certificates have been issued to all RN who have returned the incorrect certificates.

### **3.0 Public Record Request**

The Board continues to comply with public record request and responds within the required timeframes that are set in the Government Code Section 6250.

### **4.0 Board’s Website Update**

Subscription Service – On August 30, 2006, the Board’s Website went “live” with a Subscription Service that allows anyone who is interested in receiving updates from the Board can now sign-up for this service. On the first day the Board had 45 hits and as of September 8<sup>th</sup> there were approximately 400. The following are a few topics of interest: New Features, Board and Committee Meeting Agendas and Minutes; Legislative and Regulation Updates; and Nursing Practice Act Updates. If someone is no longer interested in receiving updates from the Board this feature can also be disabled by providing the e-mail address.

Disciplinary Actions – Later this fall, the Board’s Website providing On-Line Services will be updated to include formal disciplinary actions that have been taken against an RN license. This will assist the Board in complying with Public Record request and it will assist anyone checking the license status of an RN. There are approximately 7,000 documents being prepared for release.

## **5.0 Continuity of Operations/Continuity of Government (COOP/COG)**

On April 18, 2006, Governor Schwarzenegger issued Executive Order S-04-06 which directs all Executive Branch agencies to update their Continuity of Operations/Continuity of Government plans consistent with the guidelines set forth by the Office of Emergency Services, and submit the plans to the Cabinet Secretary and the Director of the Office of Emergency Services by September 30, 2006.

Continuity of Operations (COOP) focuses on government’s ability to continue essential services in the event of a catastrophic event. Continuity of Government (COG) has been defined as the preservation, maintenance, or reconstitution of government’s ability to carry out its constitutional responsibilities.

The Office of Emergency Services held two (2) workshops to assist departments in the development of their plans. The Board submitted its plan to the Department as requested.

## **6.0 Philippine Exam Issue**

It was brought to the Board’s attention that the Philippine nurse licensure exam that was administered on June 12, 2006 was breached when it was discovered that exam questions had been given to an unknown number of candidates prior to taking the exam. The Philippine government is investigating the incident at many levels. As it stands now, 1,000 candidates who took the exam have been licensed to practice nursing in the Philippines. There are a significant number of candidates who took the exam who have been stopped in the process of licensure until the investigation is completed. There is a debate going on right now as to whether or not, all candidates who took the exam on June 12<sup>th</sup> should repeat the exam.

NCSBN is actively involved in this process and have been in touch with the Philippine Government as well as the nursing association. Representatives from NCSBN will be going to the Philippines to further investigate this issue.

## **7.0 Personnel**

The following personnel changes have transpired since the last Board Meeting:

New Hires	Classification	Board Program
Rosa Garcia-Farman	Office Technician	Call Center
Nina Preston	Office Assistant	Office Support Services
Loma Basquez	Office Assistant	Office Support Services

New Hires	Classification	Board Program
Paul Hochscheid	Office Assistant	Office Support Services
Long Dau	Key Data Operator	Licensing Support
Melissa Lavorico	Office Assistant	Call Center

Promotions	Classification	Board Program
Christina Sprigg	Staff Services Mgr	Administration
Le'Shell Thompson	Office Technician	Licensing
Puiman Wong	Office Technician	Licensing
Nancy Van Vooren	Staff Services Analyst	Licensing

Separations	Classification	Board Program
Esperanza Montiel	Key Data Operator	Licensing Support
Flora Hradetzky	Management Services Tech	Diversion Program
Randy Hoffard	Office Assistant	Office Support Services

## 8.0 Executive Officer's Activities

August 3, 2006 - Ruth Ann was elected Treasurer to NCSBN. She will serve as chairperson of the Finance Committee and will continue to be a voice for California.

September 5-8, 2006 - Attended the first NCSBN Board of Directors meeting that included 2 days of orientation.

L. Tate recognized Rosario Marin, Secretary, State and Consumer Services Agency. Ms. Marin gave brief remarks regarding her appointment as Secretary, overseeing 50 State departments. She expressed her appreciation for the service the Board provides and gave much attention to the Executive Order issued by the Governor focusing on the Board's input and participation in the COOP/COG planning process, particularly, Pandemic Flu.

R. Terry noted that J. Wackerly, Nursing Education Consultant is representing the Board at various planning meetings with other agencies involved in the COOP/COG planning process.

## 7.0 REPORT OF THE ADMINISTRATIVE COMMITTEE

L. Tate, Chairperson

### 7.1 Information Only: NCSBN Annual Meeting

R. Terry presented this report

R. Terry and L. Tate attended the Annual Meeting that was held August 1-4, 2006 in Salt Lake City, Utah.

The financial picture for NCSBN is very strong. The Board of Directors accepted the Finance Committees recommendation to set aside \$5 million for research grants. Anyone interested in research related to regulations/regulatory integrity, can receive information from NCSBN's website.

Proposed major bylaw revisions that would shift the decision making from the delegates to the Board of Directors. The major areas that were proposed were: 1) add four (4) Board Members, 2) Change Nomination Committee to Leadership Succession Committee, 3) Have a new category of membership "Associate Member" that would allow regulatory bodies from other territories and countries to be members in NCSBN.

The Leadership and Governance Committee and the Bylaws Committee who proposed the major changes did so in part to respond to the Sabrane-Oxley Act that was created as a result of Enron. It is felt that some parts of that Act will apply to non-profits. The changes were predicated in part, on complying with this new Act that gives more responsibility to the Board of Directors.

The proposed changes, after much discussion, did not pass and were sent back to the Bylaws Committee.

The Disciplinary Resources Advisory Panel which E. Hochberg, Enforcement Program Manager is a member of, made the following recommendations: 1) Language in the Model Practice Act be included to require criminal background checks, 2) National Standards for Drug Screening. Both recommendations were approved.

Based on the 2005 RN Practice Analysis, the delegates adopted the 2007 NCLEX Test Plan.

## **7.2 Information Only: Appointment of BRN Nominating Committee**

L. Tate presented this report

The appointment of the BRN Nominating Committee was deferred until December 14-15, 2006 Board Meeting.

## **7.3 Information Only: Tentative Board Meeting Dates and Locations for 2007**

R. Terry presented this report

February 15-16, 2007 (South), April 12-13, 2007 (North), June 7-8, 2007 (South), September 13-14, 2007 (North), and December 13-14, 2007 (South)

# **8.0 REPORT OF THE LEGISLATIVE COMMITTEE**

L. Tate, Chairperson

## **8.1 Information Only: Adopt/Modify Positions on Bills of Interest to the Board**

Louise Bailey presented this report

The Governor has until September 30, 2006 to sign or veto the following bills.

AB 1591 Chan: Medi-Cal: nurse practitioners

AB 1667 Saldana: Pupil health individuals with exceptional needs: specialized physical health care services

AB 2120 Liu: Vehicles: disabled persons: disabled veterans: parking placards  
Chaptered #116, effective January 1, 2007

AB 2564 Matthews: Health facilities: criminal record clearances

AB 2609 Evans: Residential facilities for the elderly: employee training

SB 1285      Aanestad: Speech-language pathology  
Chaptered #153

SB 1301      Alquist: Health facilities: reporting and inspection requirements

SB 1309      Scott: Nursing education: Grants, loan assumptions, and faculty  
recruitment and retention

SB 1423      Figueroa: Laser procedures

## **9.0      REPORT OF THE DIVERSION/DISCIPLINE COMMITTEE**

G. Corse, Chairperson

### **9.1      Information Only: Enforcement Program Update and Statistics**

E. Hochberg presented this report

The Enforcement Program statistics for Fiscal Year 2005-2006 (July 2005 through June 2006) were provided for review.

There were 562 cases referred to the Attorney General's (AG's) Office. This is a 70% increase from the last fiscal year, and the highest on record. The percentage of cases settled by stipulated agreement was 60%, the highest on record and consistent with a gradual yearly increase. There were 3,384 complaints received, an increase of 7% over the last fiscal year, and also reflecting a consistent yearly increase.

During the last half of the fiscal year, the AG's Office increased expenditures substantially, and the result was that that over 95% of the \$2.7 million dollar budget was spent. However, the number of licensee disciplinary actions decreased by 18%. The Enforcement Program caseload at the AG continues to increase, creating more competing priorities for the AG. At the end of the fiscal year, there were 670 cases pending at the AG, including those pending Board vote. This is a 49% increase over the last fiscal year.

The Board will continue to monitor statistics, with special emphasis on the increasing caseload at the Attorney General's Office. In addition, the Enforcement Program is monitoring case hour statistics of the Division of Investigation.

### **9.2      Information Only: Diversion Program Update and Statistics**

C. Stanford presented this report

The Diversion/Probation Program has hired two new employees to fill the existing vacancies. Millicent Lowery was hired as the new Associate Governmental Program Analyst. She is from the Board of Vocational and Psychiatric Technicians where she worked in the Enforcement Unit as a Staff Services Analyst. We have also hired Flora Hradetzky as the Management Services Technician. She previously worked as an Office Technician for the Department of Finance. Unfortunately, Flora has already accepted a new position, one that is more in line with her career path.



In the fall of 2005, the National Council of State Boards of Nursing (NCSBN) requested the Disciplinary Resources Advisory Panel (DRAP) develop drug-screening standards to be used by Boards of Nursing discipline and alternative programs. This was completed and their recommendations were provided to the Board in their presentation: “Drug Screening as a Regulatory Tool.” The Diversion/Probation Program and the Enforcement Program met in June to teleconference with the NCSBN and representative states to discuss their findings. The DRAP had several pertinent recommendations. In particular they recommended a “Minimum Basic Panel (urine)” which should incorporate Ethyl Glucuronide (EtG) testing. They indicated, based on extensive research, that EtG testing is a more reliable indicator of abstinence from alcohol than urine ethanol testing alone. The Board’s Diversion Program became aware of this three years ago and incorporated EtG testing into their panel of tests back in 2004. It has been very effective in the early detection of alcohol use and relapse.

#### Contractor Update

The Boards continue to meet with the contractor on a bimonthly basis. Several minor amendments to the contract were discussed and may be implemented to meet the ongoing needs of the program.

Maximus’ first Diversion Quality Management Review Improvement Committee Meeting was conducted in July. Geri Nibbs represented the Board of Registered Nursing. Several issues were addressed and Maximus’ customer satisfaction surveys to a random sampling of program participants were reviewed.

#### Diversion Evaluation Committees (DEC)

There are currently fifteen vacancies as follows: two Public, three Physicians and ten Registered Nurses. Several interviews have been conducted and several recommendations are included on today’s agenda for approval. Recruitment efforts are continuing.

#### Statistics

The corrected Monthly Statistical Summary Report for February 2006, through March 2006 and the Monthly Statistical Summary Report for April, May and June 2006 was provided for review. As of June 30, 2006, there were 1155 successful completions

### **9.3 Information Only: Probation Program Update and Statistics**

C. Stanford presented this report

#### Program Update

Rashana Wright was hired as the new Office Technician for the Probation Program. She previously worked in the private sector and is new to state service.

### Statistics

Below are the current statistics for the Probation Program through August 14, 2006.

MALE	118
FEMALE	341
CHEMICAL DEPENDENCY CASES	259
<b>PRACTICE CASES</b>	140
SOUTHERN CALIFORNIA	249
NORTHERN CALIFORNIA	210
PENDING AT THE AG	45
ADVANCED CERTIFICATES	44
<b>TOTAL IN-STATE PROBATIONERS</b>	<b>459</b>

#### **9.4 Approve/Not Approve: Drug Screening Programs Re: BRN Probationers**

C. Stanford presented this report

One of the major conditions of probation for those Registered Nurses who violate the Nursing Practice Act by the misuse of drugs and/or alcohol is random drug screening. This requirement is necessary to confirm that the probationer is in compliance with the terms of probation and not endangering public safety. In order to provide a more efficient process in screening probationers, a new guideline regarding the Diversion/Probation Program's drug screening process has been developed. A copy of the guidelines was provided to the Board for review and approval.

This guideline outlines specific criteria that Drug Screening Programs must follow in order to be allowed to perform random toxicology drug testing for probationers. In particular they will be required to provide a call-in system (toll free telephone number) that will allow probationers to call in daily to determine if they are required to screen. This would alleviate staff from being required to contact probationers daily to notify them to test. The current process has been extremely time consuming for staff and has not been the most effective or efficient method of random testing.

MSC: Phillips/Dietz that the Board approve the drug screening guidelines. 7/0/0

**9.5 (a) Approve/Not Approve: Diversion Evaluation Committee Member Appointments/Reappointment**  
**(b) Information Only: Diversion Evaluation Committee Member Resignations**  
C. Stanford presented this report

In accordance with Section 2770.2 (B&P), the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committee(s) of its Diversion Program. Each Committee is composed of three registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

Appointments:

Below are the names of the candidates who were interviewed and are being recommended for appointment to a Diversion Evaluation Committee (DEC). The applications and resumes were provided for review. If appointed, their terms will expire June 30, 2010.

Elizabeth Andal	Registered Nurse	Fresno	DEC #5
Duane Anderson	Registered Nurse	Burbank	DEC #8
Inez E. Rozar	Registered Nurse	Ontario	DEC #9
Ernestine Leverette	Registered Nurse	Los Angeles	DEC #3
Raymond S. Jones	Registered Nurse	North Coast	DEC #11

Reappointment:

The following DEC member is requesting a second term appointment. If the appointment is approved, his term will expire on June 30, 2010.

R. Keith Simpson	Physician	Orange	DEC #4
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MSC: Tate/Phillips that the Board approve the DEC member appointments/reappointment.  
7/0/0

**Information Only: Diversion Evaluation Committee Member Resignations**

Below are the names of the Diversion Evaluation Committee members who have resigned.

Michael Kenny	Registered Nurse	Burbank	DEC #8
Cheryl Brown	Registered Nurse	North Coast	DEC #11

Letters and Certificates of Appreciation will be sent to acknowledge their service to the program.

The Diversion Program will continue recruiting efforts

## **10.0 REPORT OF THE EDUCATION/LICENSING COMMITTEE**

E. Dietz, Chairperson

### **10.1 Approve/Not Approve: Education/Licensing Committee Recommendations:**

M. Minato presented this report

#### **Continue Approval of Nursing Education Program:**

- California State University, Stanislaus, Baccalaureate Program
- Merritt College Associate Degree Nursing Program
- Southwestern College Associate Degree Nursing Program
- Sacramento City College Associate Degree Nursing Program
- Santa Monica College Associate Degree Nursing Program
- Solano College Associate Degree Nursing Program

#### **Defer Action to Continue Approval of Nursing Education Program:**

- East Los Angeles College Associate Degree Nursing Program

#### **Continue Approval of Advanced Nursing Education Program:**

- San Jose State University Nurse Practitioner Program

#### **Approve Major Curriculum Revisions:**

- California State University, San Bernardino, Baccalaureate Nursing Program
- El Camino College Associate Degree Nursing Program

MSC: Pile/Corse that the Board approve the recommendations from the Education/Licensing Committee. 5/0/0 – Hayashi not present during presentation. Morales-Board excused from meeting.

### **10.2 Ratify Minor Curriculum Revisions**

M. Bedroni presented this report

According to Board policy, Nursing Education Consultants may approve minor curriculum changes that do not significantly alter philosophy, objectives, or content. Approvals must be reported to the Education/Licensing Committee and the Board.

The following programs have submitted minor curriculum revisions that have been approved by the NECs:

- Samuel Merritt College School of Nursing, Entry Level Master's Degree Nursing Program
- University of San Francisco, Entry Level Master's Degree Nursing Program
- Azusa Pacific University, Entry Level Master's Degree Nursing Program
- California State University, Long Beach, Baccalaureate Degree Nursing Program – Accelerated Program Option
- San Francisco State University, Baccalaureate Degree and Entry Level Master's Degree Nursing Programs
- College of the Sequoias, Associate Degree Nursing Program

- Cypress College, Associate Degree Nursing Program
- Los Angeles Harbor College, Associate Degree Nursing Program
- Los Medanos College, Associate Degree Nursing Program
- Southwestern College, Associate Degree Nursing Program
- Azusa Pacific University, Nurse Practitioner Program
- Charles R. Drew University Nurse Midwifery Program

MSC: Phillips/Corse that the Board approve the minor curriculum revisions. 5/0/0

### **10.3 Accept/Not Accept Feasibility Study for California State University, Dominguez Hills (CSUDH) to start an Entry Level Master's Degree in Nursing (ELMN) Program**

M. Bedroni presented this report

Carole Shea, PhD, Director School of Nursing.

CSUDH was established in 1960 and is located in Carson, California. CSUDH School of Nursing (SON) currently has a student body of approximately 900 students in the BSN and MSN programs. To date, the SON has offered its online programs statewide for RNs who are unable to attend an on campus program or who prefer a more self directed approach to education. However, for this proposed program the prelicensure content will be taught in the classroom.

The proposed program will be for students that have a BS/BA degree in a field other than nursing and wish to become RNs. The student with a BS/BA will attend an accelerated intensive pre licensure master's program on a full time basis for five academic semesters starting in the fall, continuing in the spring, summer, fall and ending in the final spring semester. Upon successful completion of the **total program** the graduate will receive a Master's degree and be eligible to sit for NCLEX examination.

Recognizing that prelicensure education requires close supervision and an intensive schedule for learning, faculty will concentrate on pre-licensure classroom instruction and clinical experiences within a 30-mile radius from the main campus in Carson; therefore, the designated geographical area will be greater Los Angeles and Northern Orange County.

The program will partner with clinical agencies, which will provide facilities and resources for prelicensure nursing education and clinical experiences. The program proposed will utilize a combination of traditional classroom strategies and academic technology, such as high fidelity human simulators. The MSN core courses will be offered online using the blackboard online application.

There are three major components of the ELMN curriculum: MSN core courses which all MSN students take; science foundation courses, and the prelicensure courses only for ELMN students. Additionally, the CSU Graduate Writing Examination and the MSN Comprehensive Examination are required to meet degree requirements.

The ELMN curriculum is a total of 75 units which includes six master's courses (18 units), three MSN courses (9 units) and 15 prelicensure nursing courses (48 units) specially designed to prepare students for entry level licensure as RNs who will practice at the bedside. Students will also need to complete 33 units of pre-requisite courses to meet licensure requirements and graduate admission criteria.

MSC: Pile/Phillips that the Board approve the Feasibility Study for CSUDH ELMN Program. 5/0/0

#### **10.4 Accept/Not Accept Feasibility Study from California State University Channel Islands, Generic Baccalaureate Degree Nursing Program**

M. Bedroni presented this report

California State University of Channel Islands (CSUCI) was funded in 2002 as the 23<sup>rd</sup> campus of the California State University System. The development of a BSN program has been under discussion for several years, and currently there is immense support among members of the Santa Barbara and Ventura County health care organizations as well as the associate degree nursing programs in the region for this new program.

The total number of units required for a generic nursing student is 133 semester, including 54 units of general education, 13 units required additional preparation for the major courses and 66 nursing units. The beginning generic class size will be 33 students placed in basic medical surgical settings in three separate clinical groups of ten students.

The proposed program will begin with preadmission in Fall 2006 to complete an initial year of prerequisites courses. These students will begin taking nursing courses in their second (sophomore) year (2007) and will graduate three years later. The current goal is to admit 30-33 generic students each year to accommodate a probable attrition of 10%.

Dr Karen Jensen has been appointed as Nursing Program Director with responsibilities beginning August 2006.

MSC: Corse/Phillips that the Board accept the Feasibility Study from CSU Channel Islands, Generic Baccalaureate Degree Nursing Program. 5/0/0

#### **10.5 Accept/Not Accept Feasibility Study for Citrus College (CC), Associate Degree Nursing Program**

M. Bedroni presented this report

Citrus College is the oldest Community College in Los Angeles County, celebrating its 90<sup>th</sup> year of operation during 2005-2006 academic years. CC is situated in the East San Gabriel Valley of Los Angeles County and it has been recognized as a Hispanic Serving Institution with the receipt of two Title V grants.

Currently CC has an LVN, EMT, and CNA program. Some of the faculty currently teaching at the LVN program also have experience teaching ADN students and may be utilized to teach in both programs. However, CCC is planning to hire additional faculty.

The total nursing program will consist of 44.5 units (25 theory/19.5 clinical). Additionally, there are 28.5 units of sciences and general education courses to satisfy degree requirements.

The target date for admission for the first cohort of 24 students will be Fall 2007. The total projected enrollment for the first five years is 168 students. The total nursing program will have 77-81 units with 40 units of nursing (21.5 Theory/18.5 clinical), six (6) units of communication and 32 + units of sciences and other degree requirements.

Since CC has an LVN program, initially the program will begin with advanced placement (the third semester) and in the Fall of 2008, will admit the first cohort of generic students.

MSC: Phillips/Pile that the Board accept the Feasibility Study for Citrus College ADN Program.  
5/0/0

#### **10.6 Accept/Not Accept Feasibility Study for College of the Siskiyous (COS) for a LVN to RN Associate Degree Nursing Program**

M. Bedroni presented this report

Siskiyous County is located in the middle of far northern California, just next to the Oregon border.

For the last five years, some COS LVNs graduates have entered the Shasta College VN to RN program taking their classes via Interactive Video Conferencing and completing clinical practice in both Yreka and Redding. However, the number of eligible students has increased over the last five years, and Shasta College is no longer able to accommodate the increase in the number of LVN-RN students on their campus. COS has the infrastructure in place and is now ready to start its own LVN-RN ADN program.

Currently COS has a successful LVN program since 1970 and has graduated 327 students. One third of these students continue their education taking pre-requisites to prepare for Registered Nursing. The closest RN program for Siskiyous students is 70 miles away at Shasta College in Redding.

The proposed program will be an LVN to RN Step Up Program consisting of two semesters (10 units of theory and 10.5 units for clinical). Sixteen units will be given as credit for the LVN training (eight units for theory and eight for clinical). The total number of nursing units will be 36 units. The proposed program will follow the Statewide Curriculum Model course sequence with modifications.

The initial enrollment is planned for Fall 2007. An enrollment of 24 students is projected for the initial class and the total enrollment will be contingent on a completed evaluation of the capacity of the clinical sites and potential faculty. The college has made a commitment to hire full time and part time faculty to assure a ratio of 1:10

MSC: Phillips/Corse that the Board accept the Feasibility Study for College of the Siskiyous LVN to RN Program. 5/0/0

#### **10.7 Accept/Not Accept Feasibility Study for West Hills College, Associate Degree Nursing Program at Lemoore Campus**

M. Bedroni presented this report

West Hills College Lemoore (WHC-L) is part of West Hills College District, which includes West Hills College Coalinga, the North District Center in Firebaugh and classrooms at the Lemoore Naval Air Station.

These counties are experiencing severe shortage of registered nurses and cannot meet the regional and local nursing workforce needs in spite of the strong RN programs in Visalia, Fresno and Bakersfield. RN's trained in these large urban cities do not return to the rural area for employment.

The Central Valley has one of the fastest growing populations in the state and between 2000-2003 has grown 7.8%. West Hills Community District is a "majority-minority area", a service area in which the majority ethnic group is Hispanic. This group represents up to 38% of the current student population.

However, there is great concern from the other surrounding schools about clinical placements, especially because these agencies are very small, have a low census, and therefore, cannot accept more students.

WHC-Lemoore Campus is committed to institutionalizing the RN program. During spring 2006 WHC-Lemoore completed construction of the new Health Science Building. This building has several classrooms and a new, large 3,000 square foot state of the art skills lab that has been designed to simulate a hospital room setting. The proposed nursing program will be housed in this new building.

The proposed program is an Associate Degree Nursing program at WHC-Lemoore campus. The total nursing program will consists of 44.5 units (25 theory/19.5 clinical). In addition there are 28.5 units of sciences and general education courses to satisfy degree requirements.

The proposed program will be sustained and maintained by internal funds such as FTES apportionment and VTEA funds and will be augmented by external sources such as state and federal grants and through contract education agreements with local health care providers. The start up budget of \$443,500.00 is secured.

Because West Hills College has experienced partnership agreements with Bakersfield College and Fresno, they identified no difficulty in hiring faculty to start



the proposed program. In reference to potential students, a large waiting list exists at local community colleges and adult schools and a collaborative effort with clinical agencies will be taken to promote recruitment for entry-level participants who currently work in health occupations and seek upward career mobility training opportunities.

MSC: Pile/Tate that the Board accept the Feasibility Study for West Hills College, Associate Degree Nursing Program. 5/0/0

#### **10.8 Grant/Not Grant Initial Approval of American University of Health Sciences (Former American Institute of Health Sciences) Baccalaureate Degree Nursing Program**

M. Minato presented this report

Betty Smith Williams, Dr.P.H., RN, FAAN, will be the Program Director. Dr. Williams was a tenured professor at CSULB from 1989-97, and is Professor Emeritus since 1996 to present.

AUHS was founded in 1994, as a private for-profit, degree-granting institution. AUHS is accredited by the Accrediting Council for Independent Colleges and Schools (ACICS), and also has been granted institutional approval from the Bureau for Private Postsecondary and Vocational Education (BPPVE). AUHS currently offers three certificate programs: Clinical Research, Pharmacy Technician, and Research Medical Assistant. In 2005, AUHS received an accreditation from the ACICS to grant Masters of Science in Clinical Research.

AUHS submitted a feasibility study in November 2000. On November 15, 2005, Carol Mackay and Miyo Minato, NECs conducted a joint visit with BPPVE for its accreditation visit at AUHS. At that time NEC's discussed a major concern with inadequate resources, including media, spaces for the skills lab, equipment/supplies to start the proposed new prelicensure program in Fall 2006.

On July 19, 2006 Carol Mackay and Miyo Minato, NECs, conducted an initial program approval visit at American University of Health Sciences (AUHS) BSN Program. There were no areas of non-compliance. Discussed suggestions for development of course syllabi.

Dr. Williams has been working with AUHS since the beginning to get the program initiated. Their consultant, Bonnie Jones, RN, has worked closely with Dr. Williams in developing the curriculum. The program plans to start with 2.5 FTE, including the Director, and will hire faculty as more students are admitted. The program will admit 24 students annually and anticipates a start date of Winter 2007.

The program has signed clinical agency agreements with eight hospitals in Los Angeles and Orange Counties that include experiences for the required content areas.

The total units for content required for licensure is 132 units: 77 nursing units (46 units of theory and 32 units of clinical); 15 communication units; and 40 science

units. There are an additional 57 units of degree requirements, which make total units needed for graduation 189. The program is to be completed in 12 quarters (10 weeks per quarter), offering 4 quarters per year. Thus, a student can complete and receive a baccalaureate degree in 3 years. The program was instructed to provide information to students that units completed at AUHS may not transfer to other colleges and universities.

Projected admission is 24 students per year. With first admission scheduled for Winter 2007 (January 2007). Course syllabi for the first year were received and reviewed. The program will submit to the NEC course syllabi for the second year of nursing program in January 2008 and the final group of syllabi in 2009. NEC will make a site visit in January 2009 and in December 2009, prior to graduation of first group of students.

MSC: Phillips/Tate that the Board grant initial approval of American University of Health Sciences.  
5/0/0

*Comments: Rev. Gregory Johnson*

#### **10.9 Grant/Not Grant Initial Approval of University of California, Irvine, Baccalaureate Degree Nursing Program**

M. Bedroni presented this report

The College of Health Sciences at University of California, Irvine (UCI) is in the process of recruiting a Director/Chair for the Program in Nursing Science. In the interim, Ellen Lewis, the Program Administrator for Nursing and Allied Health is spearheading the BRN approval process and the program development on the campus. Ms. Lewis has agreed to serve as Special Advisor to the incoming Director/Chair to assure a smooth transition.

The BRN accepted the UCI Feasibility Study on June 9, 2006. On July 13, 2006, Carol Mackay, NEC, conducted an initial approval visit at UCI. The proposed BSN program is in compliance with the BRN's rules and regulations.

The proposed program plans to admit students as freshmen into the nursing major with an expected time for completion to be four years (12 quarters). The curriculum consists of two years of prerequisite nursing courses and university requirements followed by two years of upper division nursing and sciences courses. A total of 184-quarter units are required for graduation. The total number of BRN content required for licensure units is 92-quarter units: 56 nursing units (29-units of nursing theory and 27-units of clinical practice), 10 communication units, and 26 science units. The remaining 92-units consist of other degree requirements, and the baccalaureate level nursing courses.

The maximum size of the BSN program will be 150 students. In order to build enrollment in the first admission cycle, the program plans to admit 50 lower-division nursing students in the Fall 2006 (25 freshmen and 25 sophomores). In subsequent years, 50 students will be admitted each fall (25 freshmen and 25 transfer students into the junior year).

The nursing program will need appropriate space, which ultimately means a building. In the interim, the program will have some shared space and some dedicated space. The College of Health Sciences already has a state-of-the-art Student Training Center with interactive instructional technology. The center also houses a computer lab, a skills lab with two simulation mannequins, and conference space. A new simulation lab that will accommodate both nursing and medical students is in the planning stages. In the event that additional simulation lab space is needed prior to its completion, Saddleback Community College has offered access to their simulation lab.

The following documents are due at the BRN in May 2007: Student Handbook, Faculty Handbook, Program Evaluation Plan and course syllabi for junior year nursing courses. The course syllabi for the senior year nursing courses are due May 2008.

BRN site visits will be conducted in May 2008, and again in May 2009.

MSC: Corse/Pile that the Board grant initial approval of UC Irvine BSN program. 5/0/1 – Phillips

**10.10 Grant/Not Grant Initial Approval of University of Phoenix (Northern California Campus), LVN to RN Baccalaureate Degree Nursing program at Modesto Site**

J. Wackerly presented this report

Angela M. Strawn, MSN, RN is the Nursing Director and Campus College Chair for Health Sciences and Nursing, University of Phoenix, Sacramento Valley, Central Valley and Bay Area, California, since December, 1999 to present.

Janette Wackerly, Nursing Education Consultant, conducted an initial approval visit to Modesto Campus, University of Phoenix, on August 3, 2006. The program was found to be in compliance with the Board's rules and regulations. No recommendations were made.

The University of Phoenix is accredited by the Higher Learning Commission and is a member of the North Central Association of Colleges and Schools. The Bachelor of Science in Nursing and Master of Science in Nursing Programs are accredited by the Commission on Collegiate Nursing Education. UOP has 9 campuses in Sacramento Valley, 9 campuses in Bay Area, 13 campuses in Southern CA, and 8 campuses in San Diego. University of Phoenix has a history of successful nursing education programs including Bachelor of Science Nursing, Master's Science Nursing, and Masters' Nurse Practitioner Programs. The University has the resources to support the LVN-BSN program as described in the feasibility study previously submitted to the Education Licensing Committee and the Board.

The LVN- BSN Program will be housed at the Learning Site: Modesto Campus, and administered through the Sacramento Campus site.

The University of Phoenix LVN to BSN program requires 100 units for the BSN and the 29.5 units for the LVN 30 Unit Option. The LVN-BSN curriculum consists of 39.5 nursing theory units and 18 nursing clinical units. The enrolled LVN students are credited with 7.5 clinical units and 1.0 communication unit. The curriculum is designed so students have the option of transferring units for sciences and general education courses from other colleges to UOP or taking their units at UOP. The nursing courses must be completed at UOP. The Bachelor of Nursing program has a special sequence for the LVN to achieve the BSN degree.

UOP anticipates admitting LVN nursing students October 2006 who have met the science and general education requirements at another college. UOP has 6-signed clinical affiliations with health care providers in the local community, primarily in the Stockton area. Clinical sites are available in Stockton for student learning. The program plans to have 1/10 teacher to student ratio in the clinical area. The program has submitted 10 masters prepared instructor forms and 9 bachelor assistant instructor forms with ability to start the LVN-RN nursing program with sufficient teachers.

An interim visit to evaluate implementation of the program and to meet with students and faculty is due when the first group of students completes the nursing program.

MSC: Pile/Tate that the Board grant initial approval of University of Phoenix, Northern California Campus, LVN to RN BSN Program. 6/0/0

#### **10.11 Removal of Compton Community College Associate Degree Nursing Program from the List of Approved Programs**

M. Minato presented this report

Wanda Morris has been the Dean/Program Director of ADN Program since December 2005.

In Spring 2004, Compton Community College (CCC) was in fiscal crisis with freezes placed on requisitions and hiring. The State appointed Special Trustee has been at the college and would continue the oversight at CCC through next academic year. The NECs completed a continuing approval visit on May 11-12, 2005 and found CCC ADN Program to be in compliance with Board rules and regulations. CCC received continued approval following the Board meeting of September 9, 2005.

On June 17, 2005, the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC), notified CCC that they took action to terminate the accreditation of CCC effective August 19, 2005. CCC informed the Board that the college would pursue the appeals process with ACCJC and until a final decision is made with the appeals, the college remained accredited. On December 2005, Dr. Roberta West, former Program Director, retired and Wanda Morris became the Interim Program Director.

On the CCC District's update on accreditation status, dated May 17, 2006, it is noted that the district is on the path to fiscal recovery and stability and emphasized that the quality of instructional programs taught by the college was never in question. The concerns expressed by the state and ACCJC centered primarily on fiscal mismanagement and governance.

AB 318 (Dymally), an urgency legislation that delineated a contingency plan that would establish a partner district to preserve and maintain access to accredited educational programs and support services for the students and residents served by CCC, received bipartisan support was signed by Governor Schwarzenegger on June 30, 2006. A news release, dated June 30, by the Chancellor's Office for the signed AB 318, is attached. With the signing of this bill, CCC's appeal to ACCJC/WASC is on hold indefinitely and will wait for the recovery to be made by the CCC District.

El Camino Community College District was named as the partner district that will assist Compton through its fiscal recovery period. Kathy Townsend, Program Director at El Camino, Wanda Morris, Program Director at CCC, and M. Minato, NEC, have met to discuss and plan for a smooth establishment of an extended campus site for El Camino's nursing program at Compton and to continue the nursing education of Compton's students without disruptions. The name of the new learning center will be determined.

The B&P Code Section 2786(a) "Approval of Schools" requires that an approved nursing school is an institution of higher education or is affiliated with an institution of higher education and has the authority to grant an associate of arts or a baccalaureate degree in nursing. Despite implementation of AB318, this Board was notified that CCC lost its WASC accreditation effective August 22, 2006. Therefore, it is necessary to remove CCC Associate Degree Nursing Program from the Board's Approved List of Prelicensure Nursing Program.

*Comments: E. Dietz, Chairperson*

The Board was impressed with all that is being done on behalf of not only the students, but also the faculty, due to the emotional toll.

MSC: Phillips/Corse that the Board remove Compton Community College, ADN Program from the List of Approved Providers. 6/0/0

#### **10.12 Approve/Not Approve Physician Member of Clinical Nurse Specialist Task Force (CNSTF)**

M. Bedroni presented this report

The Board at its June 9, 2006 meeting approved twelve CNSTF members. At that time, the physician member had not yet been selected. Since that time, Dr. Fredric Herskowitz has been identified as qualified and willing to serve. Dr. Herskowitz is a physician partner in the Bay Area Pulmonary Medical Associates, Inc group in Oakland, CA. He is the President of the Medical Staff at the Summit Campus at Alta Bates Medical Center and works with CNSs in his practice. He is supportive of

advanced practice nurses and brings with him a wide and varied background in internal medicine, critical care and pulmonary disease.

MSC: Pile/Corse that the Board approve the Dr. Fredric Herskowitz as the Physician Member of the CNSTF. 6/0/0

**10.13 Accept/Not Accept the request to amend California Code of Regulations Sections 1456 Continuing Education Courses and 1459.1 Withdrawal of Approval**

K. Weinkam presented this report

The Board of Registered Nursing received a request to amend California Code of Regulations Sections 1456 and 1459.1 and a complaint with a request that a BRN-approved Continuing Education Number issued to a specific provider be withdrawn on the grounds that the provider's courses "are unrelated to medical science, and their claims are unsupported by medical science."

The current practice in the Continuing Education Program is, based on the course submitted with the application, to award a Continuing Education Provider number to the applicant if the alternative or complementary medicine modality is discussed in the publication *Best Practices in Complementary and Alternative Medicine: An Evidence-based Approach with Nursing CE/CME*. Chapter 7-"Therapeutic Touch" addresses "Therapeutic Touch-Subtle Energy Fields and Healing."

The North American Nursing Diagnosis Association (NANDA), over time, has developed a list of titles that describe those states that a registered nurse can legally diagnose and treat within the framework of nursing practice. One of these titles is "Energy Field Disturbance." It is defined in Lynda Juaal Carpenito-Moyet's *Nursing Diagnosis: Application to Clinical Practice* as: "State in which a disruption of the flow of energy surrounding a person's being results in a disharmony of the body, mind, and/or spirit".

The complainant appeared at both the May 4, 2006, Education Licensing Committee and the June 9, 2006, Board meeting and spoke during the public forum regarding this issue. The following reflects his proposed language change:

California Code of Regulations Section 1456 Continuing Education Courses

The content of all courses of continuing education must be relevant to the practice of nursing and must:

- (a) be related to the scientific knowledge and/or technical skills required for the practice of nursing, ~~or~~ and
- (b) be related to direct and/or indirect patient/client care.
- (c) Learning experiences are expected to enhance the knowledge of the Registered Nurse at a level above that required for licensure. Courses related to the scientific knowledge for the practice of nursing include basic and advanced courses in the physical, social, and behavioral sciences, as well as advanced nursing in general or specialty areas. Content which includes the application of scientific knowledge to patient care in addition to advanced nursing courses may

- include courses in related areas, i.e., human sexuality; death, dying, and grief; foreign languages (conversational); therapeutic interpersonal relationship skills; pharmacology; and those related to specialty areas of nursing practice.
- (d) *be consistent with the consensus of current scientific medical knowledge and be supported by reliable research and evidence.*

Courses in nursing administration, management, education, research, or other functional areas of nursing related to indirect patient/client care would be acceptable.

Courses which deal with self-improvement, changes in attitude, financial gain, and those courses designed for lay people are not acceptable for meeting requirements for license renewal.

#### California Code of Regulations Section 1459.1 Withdrawal of Approval

- (a) The Board may withdraw its approval of a provider or deny a provider application for causes which include, but are not limited to, the following:
- (1) Conviction of a felony or any offense substantially related to the activities of a provider.
  - (2) Failure to comply with any provision of Chapter 6, Division 2, of the Business and Professions Code and/or Chapter 14 of Title 16 of the California Code of Regulations.
- (b) Any material misrepresentation of fact by a continuing education provider or applicant in any information required to be submitted to the Board ~~is grounds for~~ *constitutes automatic* withdrawal of approval or denial of an application.
- (c) The board may withdraw its approval of a provider after giving the provider written notice setting forth its reason for withdrawal and after affording a reasonable opportunity to be heard by the board or its designee after thirty (30) days written notice of the specific charges to be heard.
- (d) Should the BRN deny the provider approval, applicant has the opportunity to formally appeal the action to the Board within a thirty (30) day period.

The following materials were provided for review:

1. Letter dated February 2, 2006, from Ruth Ann Terry, Executive Officer of the California Board of Registered Nursing to Owen Hammer, of Independent Investigations Group, Center for Inquiry- West.
2. Information provided to the Education Licensing Committee May 4, 2006, (nine pages) by James Underdown, Excecutive Director, Center for Inquiry-West.
3. The Board of Registered Nursing statement *Complementary and Alternative Therapies in Registered Nursing Practice*.
4. Selected pages from *Best Practices in Complementary and Alternative Medicine: An Evidence-Based Approach with Nursing CE/CME*.
5. Selected pages from *Medical-Surgical Nursing: Assessment and Management of Clinical Problems*.
6. Selected pages from *Nursing Diagnosis: Application to Clinical Practice*.

MSC: Corse/Phillips that this action item be deferred back to ELC for further review. 6/0/0

*Comments: L. Powell, BRN Legal Counsel, because there was not a quorum of the Board at the last Education/Licensing Committee meeting, it is suggested that this item be deferred back to ELC for further review.*

*Comments: James Underdown, Executive Director, Center for Inquiry-West  
Additional material was provided to the Board for consideration.*

#### **10.14 Information Only: Education Advisory Committee**

M. Minato presented this report

The Education Advisory Committee met on June 1, 2006. The primary purpose of the meeting was to review and revise the 2004-2005 survey questionnaire based on the review from the first survey cycle.

On July 31, 2006, the BRN and the CINHC submitted the final grant report to the Gordon and Betty Moore Foundation. This grant provided the funding for the EAC to develop the online consolidated nursing education survey in California.

Several activities related to the work of the EAC continue. These are: the distribution of the CD tracking program for nursing school data to the program directors, the development of the form to request Annual School Survey data from the BRN, and the trending of nursing education data for the past five years. For the first time this year, trending of nursing education data will be available by geographic regions.

#### **10.15 Information Only: NCLEX-RN Pass Rate Update**

M. Minato presented this report

The Board of Registered Nursing receives quarterly reports from the National Council of State Boards of Nursing (NCSBN) about the NCLEX-RN test results by quarter and with an annual perspective. The following tables show this information for 12 months and by each quarter.

#### **NCLEX RESULTS – FIRST TIME CANDIDATES**

**July 1, 2005- June 30, 2006**

<b>JURISDICTION</b>	<b>TOTAL TAKING TEST</b>	<b>PERCENT PASSED %</b>
California	7,237	86.50
United States and Territories	105,427	87.52

#### **CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES**

**By Quarters and Year – 07/01/05 – 6/30/06**

<i>7/01/05- 09/30/05*</i>		<i>10/01/05- 12/31/05*</i>		<i>01/01/06 – 03/31/06*</i>		<i>04/01/06- 06/30/06*</i>		<i>07/01/05 – 06/30/06*</i>	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
3,084	86.22	562	76.69	2,127	89.14	1,464	87.02	7,237	86.50

\*Includes (9), (8), (2), & (7) “re-entry” candidates



The Nursing Education Consultants monitor the NCLEX results of their assigned programs. Current procedure provides that after each academic year, if there is substandard performance (below 70% pass rate for first time candidates), the NEC requests that the program director submit a report outlining the program's action plan to address this substandard performance. Should this substandard performance continue in the second academic year, an interim visit is scheduled and a written report is submitted to the Education/Licensing Committee. If there is no improvement in the next quarter, a full approval visit is scheduled within six months. A report is made to the Education /Licensing Committee following the full approval visit.

The Board will continue to monitor results.

## **11.0 Report of the Nursing Practice Committee**

S. Phillips, Chairperson

### **11.1 Information and Discussion: NP, CNM and PA reimbursement for identified Current Procedural Terminology Codes (CPT) listed in the Medi-Cal Provider Manual beginning page “non-ph 5” and additional medical and surgical procedures identified by California Planned Parenthood Education Fund**

Janette Wackerly presented

Department of Health Services, (CDHS) Irv White, Chief, Medi-Cal Benefits Branch, Medi-Cal Policy Division, requested the Board’s Executive Officer, Ruth Ann Terry, MPH, RN provide an interpretation of Nurse Practitioner and Nurse Midwives scope of practice related to the identified CPT Codes. The Board affirmed that the identified CPT Codes are within the scope of practice of the certified nurse practitioner and nurse midwives.

The practice committee liaison has been in touch with the California Nurse Practitioner Association with Susanne Phillips and Chair of this Practice Committee and B.J Snell CNM, California Nurse Midwives. Both groups have affirmed the identified CPT Codes are currently performed and within scope of practice for NPs and CNMs.

California Planned Parenthood Education Fund, Inc Lilly Spitz Chief Legal Council contacted the practice liaison regarding scope of practice for NPs and CNMs about CPT Codes in the Medi-Cal Provider Manual requesting removing limitations for NP and CNM. California Planned Parenthood Education Fund November 1, 2005 provides CPT-4 codes within the scope of practice of nurse practitioners and certified nurse midwives and physician assistants that should be included as Non-Physician Practitioners Section of the Inpatient/Outpatient provider manual.

### **11.2 Approve/Not Approve: Website Information: National Provider Identifiers: Nurse practitioner and Nurse Midwives**

Janette Wackerly presented this report

The public and nurse practitioners have been inquiring about the necessity of obtaining a National Provider Identifier, NPI, and where to find the information. It is intended that the board provide a Website link to the US Department of Health and

Human Services, CMS Centers for Medicare and Medicaid Services;  
<http://www.cms.hhs.gov> or by calling 1-800 465-3203. Other sources of information about NPI number can be found on the following websites:  
<http://www.medicarenhic.com/hipaa/index.shtml>, and  
<http://www.aanp.org/Practice+Policy+and+Legislation/Regulation/National+Provider+Identifier+%28NPI%29+Numbers.htm>

The objective of the proposed National Provider Identifier system is to assign a unique national identifier number to each and every provider of Medicare health care services: individuals, organizations, and groups. This includes physicians, nurses, nurse practitioners, dentist, pharmacists, physical therapists, physician group practices, acute care hospitals, long-term care hospitals, outpatient facilities, nursing home facilities, hospice, home health agencies, ambulance service providers, clinical laboratories, durable medical suppliers, health maintenance organizations, and pharmacies.

The NPI will eventually eliminate the need for multiple provider numbers for single providers PIN and UPIN numbers as well as the utilization of DEA numbers as identifiers for standard provider transactions. While the NP or CNM can apply now for the NPI number, the requirement for its use in transactions is not until May 23, 2007 and for small business May 23, 2008.

In January 2004, the Federal Register published the National Provider Identifier (NPI) Final Rule adopting the Health Insurance Portability and Accountability Act (HIPAA) standard unique health identifier for healthcare providers. Healthcare providers can begin applying for NPIs on the effective date of the final rule, May 23, 2005. All healthcare providers are eligible to be assigned NPIs and the providers who are covered entities must obtain and use NPIs, Nurse Practitioners, Nurse Midwives and Physician Assistant. All HIPAA covered entities must use the NPI by the compliance date of May 23, 2007 for all but small health care plans; May 23, 2008 for small health care plans.

A 10-digit identifier, the NPI consists of 9 numbers plus a check-digit in the 10<sup>th</sup> position. It is accommodated in all standard transactions, and contains no embedded information about the healthcare provider it identifies.

MSC: Tate/Dietz that the Board approve the National Provider Identifiers. 6/0/0

**11.3 Information Only: Website Information Sheet on AB 2120: Vehicles: persons with disabilities: veterans with disabilities: parking placards signed by nurse practitioner, nurse midwives, and physician assistants**

J. Wackerly presented this report

Assembly Bill No. 2120, Lui, Chaptered 116 approved by Governor Arnold Schwarzenegger, July 24, 2006 amends Section 5007, 9105, 22511.55 of the Vehicle Code. The amendments include nurse practitioners, nurse midwives and physician assistants as authorized health care professional that can sign the certificate substantiating the applicant's disability for the placard.

Existing law authorizes the Department of Motor Vehicles to issue distinguishing placards to disabled persons or disabled veterans and temporary distinguishing placards to temporarily disabled persons, to used for parking purposes. Prior to issuing the parking placard or temporary placard, the Department of Motor Vehicles requires the submission of a certificate, signed by an authorized health care professional, providing a full description substantiating the applicant's disability, unless the disability is readily observable and uncontested. Under existing law, the authorized health care professional that signs the certificate is required to retain information sufficient to substantiate the certificate, and make the information available to certain entities, upon request of the department.

## 12.0 Open Forum

*Yvette Holman, LA County Medical Center, concerns regarding staffing.*

*Don Fensterman from Maximus, thanked C. Stanford for her guidance and assistance with making the service Maximus provides to RNs a smooth transition.*

Meeting Adjourned at 12:05 pm

Ruth Ann Terry, M.P.H., R.N.  
Ruth Ann Terry, MPH, RN  
Executive Officer

LaFrancine Tate  
L. Tate  
President